

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**
(Greenbelt Division)

In re:	:	
	:	
RANDY M. THOMAS and	:	Case No. 18-1-2528
TANISHA N. THOMAS,	:	Chapter 13
Debtors.	:	
	:	

**TRUSTEE’S MOTION TO DISMISS CHAPTER 13 CASE
FOR DEBTORS’ FAILURE TO COMPLETE PLAN PAYMENTS**

Timothy P. Branigan, Chapter 13 Trustee in the above-captioned case (“Trustee”), pursuant to section 1307(c) of the Bankruptcy Code and Bankruptcy Rule 1017(f), requests the Court to dismiss the case inasmuch as the Debtor has failed to timely complete the payments proposed under the plan confirmed by the Court. This case was originally filed on February 27, 2018. The plan as confirmed requires gross funding of \$101,625.06 within 60 months. The failure to complete the plan constitutes cause for dismissal, has resulted in an unreasonable delay by the Debtor that is prejudicial to creditors, and represents a material default with respect to the terms of the plan. A copy of the receipts journal for the case is attached hereto and made a part hereof.

WHEREFORE, the Trustee prays that the Court dismiss the case.

Respectfully submitted,

August 3, 2023

/s/ Timothy P. Branigan
Timothy P. Branigan (Fed. Bar No. 06295)
Chapter 13 Trustee
9891 Broken Land Parkway, #301
Columbia, Maryland 21046
(410) 290-9120

**NOTICE OF OPPORTUNITY TO REQUEST A HEARING
TO THE DEBTOR(S) AND DEBTOR(S)'S ATTORNEY OF RECORD**

PLEASE TAKE NOTICE that the Chapter 13 case will be closed unless, not later than September 1, 2023, there is filed with the Clerk, U.S. Bankruptcy Court, 6500 Cherrywood Lane, Greenbelt, Maryland 20770, and a copy served on the Trustee, a pleading responding to the Trustee's Motion to Dismiss Chapter 13 Case that controverts the motion or explains why the case should not be dismissed, together with a request for a hearing on the motion.

PLEASE TAKE FURTHER NOTICE that the case may be voluntarily converted to a case under Chapter 7 upon the Debtor(s)'s motion. A motion to convert the case to a case under Chapter 7 must be filed not later than September 1, 2023 with the Clerk, U.S. Bankruptcy Court, 6500 Cherrywood Lane, Greenbelt, Maryland 20770, together with a necessary \$25.00 filing fee.

Certificate of Service

I hereby certify that the following persons are to be served electronically via the CM/ECF system:

Suvita Melehy, Esq.

I caused a copy of the foregoing to be sent on August 4, 2023 by first-class U.S. mail, postage prepaid to:

Randy & Tanisha Thomas
10323 Quillback Street
New Market, MD 21774

/s/ Timothy P. Branigan
Timothy P. Branigan (Fed. Bar No. 06295)